

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JAMES NUNEZ-SOLANO, and  
JAMES SKAGERBERG,

Defendants.

**INDICTMENT**  
**07 CRIM 463**

**COUNT ONE**

The Grand Jury charges:

1. From in or about November 2006, up to and including on or about May 8, 2007, in the Southern District of New York and elsewhere, JAMES NUNEZ-SOLANO and JAMES SKAGERBERG, the defendants, and others known and unknown, unlawfully, intentionally, and knowingly combined, conspired, confederated, and agreed together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JAMES NUNEZ-SOLANO and JAMES SKAGERBERG, the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 500 grams and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(B).

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Overt Act

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about May 8, 2007, JAMES NUNEZ-SOLANO and JAMES SKAGERBERG, the defendants, met in SKAGERBERG'S apartment in New York, New York to open a United Parcel Service package that they believed contained cocaine.

(Title 21, United States Code, Section 846.)

**Forfeiture Allegation**

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, JAMES NUNEZ-SOLANO and JAMES SKAGERBERG, the defendants, shall forfeit to the United States, pursuant to 21 U.S.C. § 853(p), any and all property constituting or derived from any proceeds the said defendants obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment.

**Substitute Asset Provision**

5. If any of the above-described forfeitable property, as a result of any act or omission of JAMES NUNEZ-SOLANO and JAMES SKAGERBERG, the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

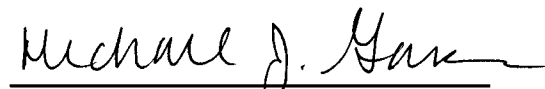
d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of JAMES NUNEZ-SOLANO and JAMES SKAGERBERG, the defendants, up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846 and 853.).

  
FOREPERSON

  
MICHAEL J. GARCIA  
United States Attorney

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07 Cr.

INDICTMENT

(Title 21, United States Code, Sections  
812, 841(a), 841(b)(1)(B), 846)

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MICHAEL J. GARCIA  
United States Attorney

A TRUE BILL.

  
Foreperson.

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5/23/07

Indictment filed. Case assigned to  
Judge Kaplan.

Fox, J.